

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ACCESS 4 ALL, INC., et al.,)	
Plaintiffs)	
)	
v.)	Civil Action No. 04-12347-KPN
)	
)	
)	
DELANCEY CLINTON ASSOCIATES,)	
Defendant)	

PROCEDURAL ORDER
RE: BENCH TRIAL

NEIMAN, U.S.M.J.

The above entitled action is scheduled for a bench trial on September 11, 2006, at 9:00 a.m. in Courtroom Three, U.S. District Court, 1550 Main Street, Springfield, Massachusetts. A pretrial conference shall be held on September 5, 2006.

Counsel shall confer by August 7, 2006, to accomplish the following:

- (1) to narrow the issues to be tried;
- (2) to show to all parties any and all exhibits to be offered at trial; and
- (3) to notify all parties of the names and addresses of all witnesses to be called at trial, including names and qualifications of expert witnesses.

Counsel shall jointly prepare and file, by August 17, 2006, a pretrial memorandum which sets forth the following:

- (1) Stipulations to all facts not in genuine dispute;
- (2) a concise statement of the evidence that will be offered all parties with respect to both liability and damages (including special damages, if any);
- (3) contested issues of fact;
- (4) any jurisdictional questions;
- (5) issues of law, including evidentiary questions, together with supporting authority;
- (6) any requested amendments to the pleadings;
- (7) any additional matters to aid in disposition of the case;
- (8) a list of the names and addresses of witnesses who will testify at trial and the

purpose of the testimony; and
(9) a list of the proposed exhibits to be offered at trial. Counsel shall distinguish those exhibits to be introduced without objection from those to be introduced with objection.

Also by August 17, 2006, counsel shall independently file the following:

- (1) any pretrial motions;
- (2) a draft of any proposed findings of additional facts beyond those previously stipulated;
- (3) a draft of any proposed conclusions of law.

Oppositions to pretrial motions shall be filed by August 23, 2006.

Compliance with this Order is not excused, absent the filing of closing papers or the entry of a Settlement Order of Dismissal in a form prescribed by the Court.

BY THE COURT,

DATED: March 2, 2006

/s/ Bethaney A. Healy
Bethaney A. Healy, Deputy Clerk